IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WA.No. 1499 of 1999()

AGAINST THE JUDGEMENT IN OP.17218/1998
.....

APPELLANT:

A. SASIDHARAN NAIR, SASI BHAVAN, THAKARAPPARAMBU
KILIMANOOR, THIRUVANANTHAPURAM - DIED

ADDL. APPELLANTS:

2. PONNAMMA, MOTHER OF LATE A.SASIDHARAN NAIR
SASI BHAVAN, THAKARAPARAMBU, PONGANADU P.O.
KILIMANOOR, THIRUVANANTHAPURAM

3. T.J. SANTHAMMA, W/O. LATE A. SASIDHARAN NAIR
-DO-

4. T.S. LATHA KUMARI, D/O. LATE A.SASIDHARAN NAIR, -DO-

5. S. UNNIKRISHNAN NAIR, S/O. LATE A. SASIDHARAN NAIR, -DO-

(ADDL. APPELLANTS 2 TO 5 ARE IMPLEADED AS LEGAL REPRESENTATIVES OF DECEASED APPELLANT NO:1 AS PER ORDER DT.13.9.01 IN C.M.P.7278/01)

BY ADV. SRI.PIRAPPANCODE V.SREEDHARAN NAIR
SRI.S.P.ARAVINDAKSHAN PILLAY
SRI.PIRAPPANCODE V.S.SUDHIR

RESPONDENTS:

K.S.R.T.C, REP. BY ITS MANAGING DIRECTOR, CHIEF OFFICE
THIRUVANANTHAPURAM-25.

BY ADV. SC FOR K.S.R.T.C.
SRI.SAJEEVKUMAR.K.GOPAL SC KSRTC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD
ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ORDER ON C.M.P 3767/1999 IN W.A.1499/99

DISMISSED:

25/6/2007 SD/- K.S.RADHAKRISHNAN, JUDGE

SD/- ANTONY DOMINIC, JUDGE

jj /TRUE COPY/

P.A. TO JUDGE

K.S. RADHAKRISHNAN & ANTONY DOMINIC, JJ.

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W.A. No. 1499 OF 1999 E
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Dated this the 25th June, 2007

J U D G M E N T

The writ petition is preferred seeking a writ of certiorari to quash Ext. P3 and for a direction to promote the petitioner to the post of District Transport Officer in the service of the K.S.R.T.C. with effect from 21-3-1997. The petitioner is no more. His legal representatives have got themselves impleaded. They have submitted that the petitioner's case had not been considered by the Departmental Promotion Committee which met on 1-3-1997 and 15-3-1997 since the petitioner was on leave from 24-2-1997 to 30-4-1997. The facts would evidently show that the petitioner could not have been promoted because his name had not been approved by the D.P.C. The petitioner continued in service till his retirement as Assistant Transport Officer. We are of the view that at this distance of time this Court is not justified in examining whether

the D.P.C. which met on 1-3-1997 and 15-3-1997 had committed any error for not considering the name of the petitioner, especially when the petitioner is no more. Under the circumstances, the writ appeal is closed.

K.S. RADHAKRISHNAN
JUDGE

AANTONY DOMINIC
JUDGE

jan/